

Case No. F3284(C)

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (currently amended) A beverage product comprising a dispenser and a beverage in which the dispenser has a container for holding the beverage and a valve which is biased to a position where it seals the container but which is openable to enable the beverage to be dispensed from the container and in which the beverage is a liquid having a sparingly soluble effervescence inducing gas dissolved therein, the beverage product being characterised in that the beverage is held under a gaseous pressure in the head space above the liquid beverage in the container that is sufficient to cause the beverage to be discharged directly into the mouth of a consumer from the dispenser as an effervescent fluid when the valve is open

wherein the beverage is held under a gaseous pressure in the headspace of at least 2.5 atmospheres gauge at 5 to 15° C and the valve is opened via the consumer's mouth.

2. (cancelled)

3. (original) A beverage product according to claim 1 wherein the sparingly soluble effervescence inducing gas is selected from the group consisting of oxygen, nitrogen, nitrous oxide, hydrogen, noble gases, gaseous hydrocarbons and mixtures thereof.

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4. (original) A beverage product according to claim 3, wherein the sparingly soluble effervescence inducing gas is oxygen.
5. (currently amended) A beverage product according to claim 1 wherein the beverage has dissolved therein a further gas which is more soluble in water than said sparingly soluble effervescence inducing gas ~~and which has a partial pressure in the headspace not exceeding 1 atmosphere absolute at 18° C.~~
6. (original) A beverage product according to claim 5, wherein the further gas is carbon dioxide.
7. (original) A beverage product according to claim 1 wherein the amount of liquid beverage and effervescence inducing gas inside the container is such that several portions of effervescent fluid can be dispensed over a period of time by successive openings of the valve.
8. (original) A beverage product according to claim 1 wherein the valve is an aerosol valve.
9. (original) A beverage product according to claim 1 wherein the beverage is water or a tea or coffee based beverage.
10. (original) A beverage product according to claim 1 wherein the dispenser includes actuator means in the outlet portion of the dispenser which are operable to open the valve to release the effervescent fluid from the container, the actuator means being

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shaped and positioned for engagement by a user's mouth or teeth to cause or enable release of liquid directly into the user's mouth.

11. (original) A beverage product according to claim 10, wherein the actuator means includes a button mounted in the outlet portion, the button being movable between a valve-closed position and a valve-open position to which it can be moved by a biting action applied to the outlet portion.

12. (original) A beverage product according to claim 1 wherein the container has a dip tube that is attached to the valve inside the container and extends into the interior of the container so that the end of the dip tube is below the level of the beverage when the container is upright so that the effervescent fluid is urged to pass through the dip tube when the valve is open by the pressure of the gas in the headspace.

13. (original) A beverage product according to claims 12, wherein the dip tube has an aperture which communicates between the headspace above the beverage in the container and the interior of the dip tube enabling gas from the headspace to be entrained in fluid being dispensed through the dip tube when the valve is open..

14. (original) A beverage product according to claim 13, wherein the quantity of gas expelled from the container when the valve is opened is greater than 0.5 cubic centimetres per 1 cubic centimetre of liquid beverage when measured at atmospheric pressure and 20° C.

15. (original) A beverage product according to claim 1, wherein the headspace within the container comprises between 10% and 80% of the volume of the container.

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16. (original) A beverage product according to claim 1 that includes means for preventing opening of the valve when the dispenser is inverted.
17. (original) A beverage product according to claim 1 wherein the sparingly soluble effervescence inducing gas is contained in a widget that releases its contents into the container when the valve is opened.
18. (original) A beverage product according to claim 17 wherein the widget contains a concentrated flavour that is released into the container when the valve is opened.
19. (original) A method for producing an effervescent beverage fluid comprising placing a liquid beverage in a container, sealing the container, introducing a sparingly soluble effervescence inducing gas into the container so that the gaseous pressure in the headspace of the container is sufficient to cause the beverage to be discharged from the dispenser as an effervescent fluid when the valve is open, and opening that valve to discharge the beverage as said effervescent fluid.